

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOAN RICKERT,

Plaintiff,

V.

MIDLAND LUTHERAN
COLLEGE,

Defendant.

8:07CV334

MEMORANDUM AND ORDER

This matter is before the court on its own motion. On October 5, 2007, the court entered an order that, among other things, directed Plaintiff to serve summons on Defendant Midland Lutheran College. (Filing No. 7.) Fed. R. Civ. P. 4 requires that Plaintiff serve summons upon Defendant no later than 120 days after the filing of the Complaint. This deadline has passed and Plaintiff has not returned a completed summons form to the Clerk of the court for service on Midland Lutheran College, and Midland Lutheran College has not been served with summons. (*See* Docket Sheet.)

Plaintiff shall have until February 4, 2008, to show cause why this case should not be dismissed against Midland Lutheran College due to Plaintiff's failure to serve summons.

IT IS THEREFORE ORDERED that:

1. Plaintiff failed to serve summons on Midland Lutheran College within 120 days of the filing of the Complaint in this matter. Plaintiff shall have until February 4, 2008, to show cause why this case should not be dismissed against Midland Lutheran College.

2. If Plaintiff does not respond, or if good cause is not shown, this action will be dismissed without further notice.

3. The Clerk of the court is directed to set a pro se case management deadline with the following text: "February 4, 2008: deadline for Plaintiff to show cause why service of process was not completed for Midland Lutheran College."

January 2, 2008.

BY THE COURT:

s/Richard G. Kopf
United States District Judge